

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 01-0284 MHP

Plaintiff(s),

**ORDER REVOKING SUPERVISED  
RELEASE AND JUDGEMENT**

v.

JAY H. JOHNSON,

Defendant(s).

This matter came on pursuant to an Order to Show Cause why supervised release should not be revoked. Defendant appeared in person with his attorney Steven Kalar. The United States was represented by Assistant United States Attorney Andrew Scoble.

The defendant was advised of the following:

1. His right to a hearing on the alleged violations of supervised release;
2. His right to confront and cross-examine witnesses;
3. His right to produce evidence and witnesses at the hearing without cost to him if he could not afford the same;
4. His right to continue to have court appointed counsel represent him throughout the proceedings; and
5. The nature of the revocation proceedings and the consequences if a violation was found and supervised release revoked or modified.

The court finds that defendant was fully advised of his constitutional and statutory rights in connection with these proceedings either as a basis for modification or revocation; that he fully understands the nature of the proceeding and the defenses that he may assert in the proceeding; that he fully understands the consequences of the proceeding; and that he freely and voluntarily waives

1 his right to a hearing, his counsel consenting thereto.

2 The court finds that the defendant has admitted to the violations as alleged in the petition to  
3 revoke and that such violations are sufficient cause to revoke supervised release.

4  
5 Charge 1: Violation of Standard Condition which states that defendant shall not commit  
6 another federal, state, or local crime in that on May 14, 2008 was arrested and  
7 charged with violations of CHSC § 11352(a) - Sale or Distribution of a  
8 Controlled Substance, CPC 182 - Conspiracy, and CPC § 148 - Resisting or  
9 Obstructing a Peace Officer.

10 Charge 2: Violation of Standard Condition number eight which states the defendant  
11 shall refrain from the use of any controlled substance, except as prescribed by  
12 a physician in that on April 16, 2008, the defendant submitted a urine sample  
13 which tested positive for marijuana

14 Based on the foregoing,

15 IT IS ADJUDGED that supervised release is hereby REVOKED, and that defendant is  
16 REMANDED into the custody of the Attorney General or his authorized representative for a term of  
17 eighteen (18) months. No further supervision ordered.

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19  
20 Dated: August 29, 2008

  
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MARILYN HALL PATEL  
United States District Court